

***de maximis, inc.***

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January 16, 2018

**VIA ELECTRONIC MAIL**

Ms. Jennifer LaPoma  
ATTN: Lower Passaic River Remedial Project Manager  
Emergency and Remedial Response Division  
U.S. EPA, Region 2  
290 Broadway, 19th Floor  
New York, New York 10007

**Re: Monthly Progress Report No. 128 – December 2017  
Lower Passaic River Study Area (LPRSA) Remedial Investigation/Feasibility Study  
(RI/FS)  
CERCLA Docket No. 02-2007-2009**

Dear Ms. LaPoma:

**de maximis, inc.** is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement. The CPG has revised this Progress Report to address the Region's direction in its September 1, 2015 letter about Section (d).

**(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.**

**Meetings/Conference Calls**

- On December 7, EPA Region 2 (Region 2), CPG and Region 2 and CPG consultants met to discuss revisions to the Bioaccumulation Model.
- On December 13, Region 2, CPG and Region 2 and CPG consultants held a conference call to continue discussion of the Upper 9-mile Interim Remedy.
- On December 14, Region 2 and CPG consultants held a conference call to continue to discuss the Chemical Fate & Transport (CFT) Model calibration.

**Correspondence**

- On December 1, CPG notified Region 2 that Sections 1 through 3 of the revised Draft 17-mile Remedial Investigation (RI) Report were uploaded to the EPA's SharePoint site and provided the comment response matrix to Region 2.

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- On December 1, CPG provided a revised Upper 9-mile presentation for the Contaminated Sediments Technical Advisory Group (CSTAG) to Region 2.
- On December 1, CPG provided a revised Management presentation to Region 2 regarding the Upper 9-mile plan
- On December 4, CPG and Region 2 exchanged emails regarding participants and timing for the scheduled December 7 meeting to discuss the Bioaccumulation Model.
- On December 8, CPG provided to Region 2 a schedule for the modeling deliverables related to the Lower Passaic River Study Area (LPRSA) and Newark Bay Study Area (NBSA) as discussed during recent modeling meetings/conference calls.
- On December 8, CPG provided information to Region 2 regarding items to be submitted in the revised Section 4 of the Draft 17-Mile RI Report, scheduled for December 15, 2017.
- On December 12, Region 2 requested a revised Draft 17-mile RI Report Table of Contents (TOC) from CPG.
- On December 13, CPG provided the revised Draft 17-Mile RI Report TOC to Region 2.
- On December 13, CPG and Region 2 exchanged emails listing the potential participants for the Upper 9-Mile Interim Remedy conference call on this date.
- On December 13, Region 2 provided dates for meetings and a site visit with the Contaminated Sediments Technical Advisory Group (CSTAG) to CPG.
- On December 13, CPG provided a memorandum to Region 2 summarizing the outstanding issues for the Draft 17-mile Baseline Ecological Risk Assessment (BERA).
- On December 13, Region 2 and CPG exchanged emails regarding scheduling a meeting to discuss an initial Feasibility Study (FS) on January 4, 2018.
- On December 15, Region 2 provided feedback to CPG regarding two items from the December 14 modeling conference call.
- On December 15, CPG acknowledged the feedback received from Region 2 on the December 14 modeling conference call.
- On December 15, CPG delivered the November Monthly Progress Report to Region 2.
- On December 15, CPG provided a summary of the December 7 Bioaccumulation Modeling meeting to Region 2.
- On December 15, CPG uploaded Section 4 of the revised Draft 17-mile RI Report to the EPA's SharePoint site and provided responses to Region 2 Reach-by-Reach comments.
- On December 19, Region 2 provided feedback to CPG on two items related to the Draft 17-mile BERA.
- On December 28, CPG uploaded revision 2 of the Draft 17-mile BERA to the EPA's SharePoint site.
- On December 29, CPG uploaded non-modeling sections 5, 8 and 9 and appendices of the revised Draft 17-mile RI Report to the EPA's SharePoint site.

### **Work**

- CPG continued work to address Region 2's comments on the revised Draft 17-mile RI Report and Model Appendices.

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- CPG continued work on calibration of the revised LPR/Newark Bay CFT model.
- CPG continued work on revision of the LPR Bioaccumulation Model.
- CPG continued work on revision of Newark Bay Model documentation.
- CPG completed revision 2 of the Draft 17-mile BERA.
- CPG continued work on preliminary identification and evaluation of Upper 9-mile remedial alternatives.
- CPG responded to Region 2 comments and questions on the Upper 9-mile Plan.

**(b) Results of Sampling and Tests**

- None.

**(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion**

- CPG will continue work on the revised Draft 17-mile RI Report and Model Appendices in response to Region 2 comments with an anticipated delivery revised sections in January 2018.
- CPG will continue calibration of the revised LPR/Newark Bay CFT model and continue to work with HDR to complete the calibration.
- CPG will continue revising the LPR Bioaccumulation Model pursuant to Region 2 comments.
- CPG will continue work on Newark Bay Model documentation.
- CPG will continue preliminary identifications of remedial alternatives for the upper 9-miles.

**(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.**

- **Remedial Investigation (RI) Report** – The CPG delivered a draft of RI Report Section 4 - Reach-by-Reach Analysis for the Upper 9-Mile Plan to EPA on August 31. CPG provided revised Draft RI Report Sections 1 – 3 to Region 2 on November 30. CPG provided non-modeling Sections 5, 8 and 9 of revised Draft RI Report to EPA on December 29. The CPG will continue revisions to the Draft 17-mile RI Report and provide revised sections in January 2018.
- **Feasibility Study (FS)** – Region 2 and the CPG are currently discussing refocus of the FS to the Upper 9-miles and accelerating its completion and have scheduled a meeting for January 4, 2018.
- **Baseline Ecological Risk Assessment (BERA)** - The CPG delivered revision 2 of the Draft 17-mile BERA to Region 2 on December 28, 2017.

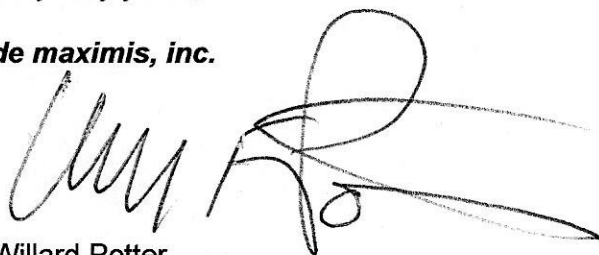
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- **Other Documents** - There are number of reports and technical memos (both original and revised submissions) that have been submitted to Region since 2011 that the CPG is awaiting either approval or Region 2's comments. These reports include:
  1. Upstream Reference Benthic Data Report – submitted August 2013
  2. Background Sediment Data Report – submitted October 2013

If you have any questions, please contact Rob Law or me at (908) 735-9315.

Very truly yours,

**de maximis, inc.**



Willard Potter  
CPG Project Coordinator

cc: Frances Zizila, EPA Region 2 Office of Regional Counsel  
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